

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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USA STAFFING SERVICES, LLC,	:	
	:	Case No. 23-cv-8613
Plaintiff,	:	
	:	NOTICE OF MOTION
-against-	:	
	:	
YDC, INC. d/b/a REZI,	:	
Defendant,	:	
	:	
	:	
	:	
----- X		

NOTICE OF MOTION BY MICHAEL T. CARR, ESQ. AND ROSENBERG & ESTIS,
P.C., TO WITHDRAW AS COUNSEL FOR DEFENDANT AND TO FILE ITS
SUPPORTING DECLARATION UNDER SEAL

Pursuant to Local Civil Rule 1.4., Michael T. Carr, Esq. and Rosenberg & Estis, P.C. (collectively, “**R&E**”), respectfully move this Court for an Order granting permission to withdraw as counsel for Defendant YDC INC. d/b/a REZI, i/s/h/a YDC, INC. d/b/a REZI (“**Defendant**”) and for leave to file a supporting declaration under seal.

The details of the request are set forth in a proposed Declaration of Michael T. Carr, Esq., in Support of Motion to Withdraw as Counsel (the “**Proposed Declaration**”). R&E respectfully requests that it be permitted to file the Proposed Declaration under seal, allowing for the Court’s *in camera* review, but denying review of the contents by plaintiffs as to not prejudice Defendant in any respect.

In conjunction with these requests, R&E is not asserting a charging lien, and it is respectfully requested that if leave is granted, the Court stay the action for thirty (30) days to allow Defendant to retain new counsel.

WHEREFORE, it is respectfully requested that the Court grant this motion, as well as such other and further relief as may be just and proper.

Dated: New York, New York
November 21, 2023

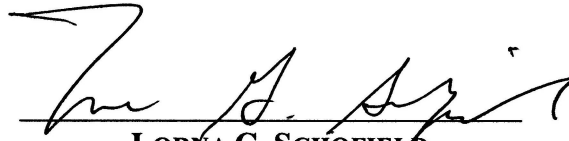
The application to withdraw is GRANTED. Mr. Carr shall present a copy of this order to Defendant no later than **November 28, 2023**. The Clerk of Court is respectfully directed to terminate Mr. Carr's ECF notifications in this matter.

A corporation, which is an artificial entity, may appear in federal court only through a licensed attorney; a corporation may not appear pro se. See 28 U.S.C. § 1654; *Rowland v. California Men's Colony, Unit II Men's Advisory Council*, 506 U.S. 194, 202 (1993); *U.S. ex rel. Mergent Servs. v. Flaherty*, 540 F.3d 89, 92 (2d Cir. 2008); accord *De Los Santos v. 94 Corner Cafe Corp.*, No. 21 Civ. 1577, 2021 WL 5180870, at *2 (S.D.N.Y. Nov. 8, 2021). By **December 22, 2023**, new counsel for Defendant shall appear, or Defendant shall file a letter describing its efforts to promptly retain counsel in this matter.

The initial pretrial conference scheduled for November 29, 2023, is adjourned to **January 17, 2024, at 4:20 P.M.** By **January 10, 2024**, the parties shall file the materials described in the Order at Dkt. No. 6.

The Clerk of Court is respectfully directed to terminate the motions at Dkt. Nos. 10 and 11.

Dated: November 22, 2023
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

ROSENBERG & ESTIS, P.C.
Attorneys for Defendant
YDC INC. d/b/a REZI

/s/Michael T. Carr

By: _____

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